

REMARKS

Claims 1-12, 14 and 15 are all the claims pending in the application. Claims 1, 9, 10, 11 and 14 are being amended. Claim 2 is being canceled.

I. Claim Objections

The Examiner objected to various informalities in claims 1, 11 and 14. The Applicant has reviewed the Examiner's suggestions and incorporated the changes into the claims.

II. 35 USC §112 Rejections

The Examiner rejected claims 7, 9-11 and 14 under 35 USC §112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 7

Specifically with regard to claim 7, the Examiner stated that "it is unclear how the source can access to the network and/or how the individually associated routing table to be used by the source to access the network adapter as the default destination route in order to connect/access to the network." *Office Action*, p. 3.

One skilled in the art will understand that in a communications network, a source accesses a network through a network adapter, and that the specific network adapter used by the source is determined by a routing table. This system is described in Fig. 2 (prior art). In the embodiment described in claim 7 and illustrated in Fig. 3, the routing table 60 lists a single

network adapter (adapter1) as the default destination route entry 64, such that the source, when relaying traffic to the network 14, accesses the network 14 through the network adapter (adapter1) that is listed as the default destination route in routing table 60. The Applicant submits that claim 7 clearly indicates how the network adapter, with the individually associated routing table that lists the network adapter as the default destination route, provides the source access to the network. The source accesses the network adapter by using the default destination route in the routing table. The Applicant submits that claim 7 clearly points out the elements of the network adapter described in the Specification, and respectfully requests that the rejection under 35 USC §112, second paragraph, be withdrawn.

Claim 9

The Applicant again submits that one skilled in the art will understand that in a communications network, a client terminal accesses a network through a network adapter, and that the specific network adapter used by the client terminal is determined by a routing table. Claim 9 discusses how the client terminal comprises a plurality of second routing tables where each network adapter is individually associated with one of the first and second routing tables. As illustrated in Fig. 3 and described in the Specification on p. 15, para. 3, “each routing table 60, 62 is individually associated with one of network adapters 20, 22, 24, and it preferably names the respective network adapter in the interface field of its corresponding default destination route.” Specifically, routing table 60 is individually associated with Adapter1, as it lists Adapter1 in the default destination entry Interface column. Routing table 62 is individually associated with Adapter2, as it lists Adapter2 in the default destination entry Interface column.

Therefore, the Applicant believes that the statement in claim 9 that “each network adapter is individually associated with one of the first and second routing tables” does particularly point and distinctly claim the subject matter which the Applicant regards as the invention. Specifically, the knowledge of one of ordinary skill in the art, combined with an understanding of the Specification, provide a clear understanding of the claim language of claim 9. For at least these reasons, the Applicant respectfully requests that the Examiner withdraw the rejection of claim 9 under 35 USC §112, second paragraph.

Claim 10

The Applicant refers the Examiner to the arguments presented above with regard to claim 9, and submits that the elements of claim 10, using a router, are equally applicable to the discussion in claim 9 with regard to the client terminal. For at least the reasons stated above with regard to claim 9, the Applicant believes that claim 10 is not indefinite, and respectfully requests that the Examiner withdraw the rejection of claim 10 under 35 USC §112, second paragraph.

Claim 11

The Applicant herein amends claim 11 to recite “wherein the operating system comprises a plurality of routing tables each configured to be individually associated with one of a plurality of network adapters of said machine.” Along with the reasons stated above with regard to claim 9, the Applicant submits that the elements of claim 11 are clearly defined, and the Applicant respectfully requests that the Examiner withdraw the rejection of claim 11 under 35 USC §112, second paragraph.

Claim 14

The Applicant herein amends claim 14 to state that the computer code is able to implement and configure “a plurality of routing tables each to be individually associated with one of a plurality of network adapters...” The Applicant additionally refers the Examiner to the arguments presented above with regard to claim 9, and submits that the newly amended claim 14 particularly points out and distinctly claims the subject matter which the Applicant regards as the invention, as required under 35 USC §112, second paragraph. For at least these reasons, the Applicant respectfully requests that the rejection of claim 14 under 35 USC §112, second paragraph, be withdrawn.

III. 35 USC §101 Rejections

The Examiner rejected claims 11-12 under 35 USC §101 as allegedly being directed to non-statutory subject matter. The Examiner stated that claims 11-12 would reasonably be interpreted as a system of “software per se,” and specifically stated that the Specification provides intrinsic evidence that the operating system is intended to cover software.

The Applicant respectfully disagrees, and points out that claims 11-12 are not simply directed to an operating system component that covers software, but to a system for relaying traffic from a source to a target destination in a communications network, which includes the operating system component means that connects a source application to the communications network. Furthermore, claim 11 describes how the operating system component means connects the source application *running on a machine* to a *communications network*, thereby reciting the physical elements necessary to place the claim within the statutory category of a process.

Finally, claim 11 also describes how the operating system includes a plurality of routing tables that are individually associated with *a network adapter of the machine*. Thus, the operating system component means of claims 11 and 12 is part of a process in the system for relaying traffic from a source to a target destination in a communications network, and as the claim describes numerous physical elements that would regard the claims as processes within the statutory subject matter of 35 USC §101.

For at least these reasons, the Applicant respectfully requests that the Examiner withdraw the rejection of claims 11 and 12 under 35 USC §101.

IV. 35 USC §102 Rejections

The Examiner maintained the rejection of claims 1, 3-5 and 7-15 under 35 USC §102(e) as allegedly being anticipated by Shen (US 2004/0013120 A1).

The Applicant herein amends claim 1 to incorporate the elements of claim 2, which describe how the first and second routing tables define the first and second destinations as default destinations which are used for traffic relay in any default situation. As the Examiner admits that Shen does not teach where the first and second routing tables define first and second destinations as default destinations which are used for traffic relay in any default situation (*Office Action, p. 10*), the Applicant submits that the rejection of claim 1 under 35 USC §102(e) is moot. Claim 2 has been canceled.

The Applicant also submits that claims 3-6, which depend directly or indirectly from claim 1, are also allowable over Shen at least based upon their dependency to claim 1.

The Applicant additionally notes that claim 7 already states that the source accesses the network adapter “as a default destination route,” and therefore believes claim 7 is allowable for the same reasons stated above with regard to claim 1.

The Applicant also amends independent claims 9, 10, 11 and 14 in similar fashion to claim 1, to essentially state that each of the routing tables defines a destination as a default destination, which is used for traffic relay in any default situation. For at least the same reasons stated above, the Applicant believes that claims 9, 10, 11, 14, and dependent claims 8, 12 and 15 are all allowable over Shen, and respectfully request that the Examiner withdraw the rejection under 35 USC §102(e).

The Applicant discusses the rejection of the subject matter of the now canceled claim 2 immediately below with regard to the rejections under 35 USC §103(a).

V. 35 USC §103 Rejections

Claim 2: Shen (US 2004/0013120 A1) and Killian (US 6,064,671)

The Examiner rejected claim 2 under 35 USC §103(a) as allegedly being unpatentable over Shen in view of Killian (US 6,064,671).

The Applicant herein cancels claim 2 and incorporates the subject matter of claim 2 into independent claims 1, 9, 10, 11 and 14. The Applicant submits that Shen and Killian do not provide a motivation to combine the elements of each in order to obviate the elements of newly amended claims 1, 9, 10, 11 and 14.

The Examiner states that one would be motivated to combine Shen and Killian “to allow messages, whose destination addresses do not correspond to any specific addresses or address

range contained in the destination column of the routing table, to be relayed to the default destination, i.e. the next hop, through which the message should be routed to get to its destination.” *Office Action*, p. 10. However, the motivation described by the Examiner is simply the motivation for the use of a default destination in a routing table, which is known in the art and well described in the Background of the Invention of the Application at p. 3, para. 2.

What Shen and Killian both lack motivation for is a method for relaying traffic where multiple network adapters are individually associated with multiple destinations listed in the default destination row of multiple different routing tables. Nothing in either Shen or Killian discusses the advantages of combining the individual association of destinations with network adapters where the destinations are default destinations. As stated in the Specification, “the new method and the corresponding equipment for the first time provide the possibility to use a plurality of network adapters, each of which being associated with a default destination in a routing table at the same time.” *Summary of the Invention*, p. 5, para. 2. The Specification continues that “it is hence much easier to manage different routes involving a plurality of network adapters. In particular, it is no longer necessary to specify all the details and alternatives for those routes that are associated with a network adapter other than the default adapter in one routing table.” *Summary*, p. 5, para. 2 – p. 3, para. 1. The motivation provided in the Specification is not discussed in Shen or Killian, which provides further evidence that the teachings of Shen and Killian, taken alone or in combination, lack the motivation to combine into the elements of the pending claims. While Shen discusses routing tables with multiple destinations, it fails to discuss routing tables where only a single destination is provided, as is specified in claim 1. Similarly, Killian discusses the use of the default destination in a routing

table, but not in the context of using multiple routing tables or limiting the additional routing table entries based on the use of a default destination category.

Therefore, the motivation to combine Shen and Killian suggested by the Examiner, of providing the ability to relay messages without a specific address, is not the motivation that would arrive at the claimed invention. Instead, the claimed invention is the result of a motivation to simplify the use of a plurality of network adapters and destinations by individually associating network adapters with a default destination in a plurality of routing tables.

For at least the reasons stated above, the Applicant submits that claims 1, 7, 9, 10, 11 and 14 are allowable over the cited references. The Applicant respectfully requests that the rejection of the subject matter of previous claim 2 as applied to claims 1, 7, 9, 10, 11 and 14 under 35 USC §103(a) be withdrawn.

Claim 6: Shen and Zhou (US 2002/0138578)

The Examiner rejected claim 6 as allegedly being unpatentable over Shen in view of Zhou (US 2002/0138578). The Applicant refers the Examiner to the arguments presented above with regard to claim 1, and submits that claim 6 is allowable at least based on its dependency to claim 1. Therefore, the Applicant respectfully requests that the rejection of claim 6 under 35 USC §103(a) be withdrawn.

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

AMENDMENT UNDER 37 C.F.R. § 1.116 and § 1.121
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Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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